Mr Thorbjørn Jagland
Secretary General
Council of Europe

20 March 2013

Dear Secretary General,

We know that you are familiar with the case of **Sergei Magnitsky** and that you have expressed, in public and in private (with the Russian authorities), concern at the absence of any meaningful progress towards securing justice for Mr Magnitsky and his family, more than three years after his death in pre-trial detention. His posthumous trial, albeit recently postponed, is an unacceptable attempt to damage the reputation of a man who is not able to defend himself, and to cause harm to his family.

We continue to raise our concerns about this case with the Russian authorities on a bilateral basis and through other opportunities such as the EU/Russia dialogue. Many other Council of Europe Member States are doing the same.

We have been considering what more the Council of Europe can do to press the Russian authorities to bring this case to a thorough conclusion and, separately, support the development of Russia's judicial systems – the failure to secure justice for Mr Magnitsky (Russian authorities announced yesterday that the investigation into his death would be dropped) is being interpreted as symbolic of the failings of Russia's judicial systems. Both actions would be consistent with the Council of Europe's important role in reminding the Russian Federation of its relevant obligations and ensuring that all member states are effectively held to account, as part of a strengthened rules-based international system. This would also be consistent with the emphasis you are placing on strong and independent judicial systems as bulwarks against corruption, and as pillars of a mature democracy.

We would be grateful therefore if you could continue to raise the case, using your contacts with Russian authorities to express the importance of bringing this case to a thorough conclusion, explaining that doing so would demonstrate a positive signal for the future of human rights and democracy in Russia.

A copy of this letter goes to Nils Muižnieks, Commissioner for Human Rights.

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Tomáš Boček, Permanent Representative, on behalf of Karel Schwarzenberg, Foreign Minister of the Czech Republic

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Julius Georg Luy, Permanent Representative, on behalf of Michael Georg Link, Minister of State at the Federal Foreign Office, Germany

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Ellen Berends, Permanent Representative, on behalf of Frans Timmermans, Minister of Foreign Affairs of the Kingdom of The Netherlands

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Carl Henrik Ehrenkrona, Permanent Representative, on behalf of Carl Bildt, Foreign Minister of Sweden

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Matthew Johnson, Permanent Representative, on behalf of David Lidington, Minister of State at the Foreign and Commonwealth Office, United Kingdom